REMARKS

This application contains claims 1-32. Claims 8, 18 and 29 have been canceled without prejudice. Claims 1, 9, 11, 19, 22 and 30 are hereby amended. No new matter has been introduced. Reconsideration is respectfully requested.

Applicant thanks Examiners Bengzon and Vaughn for the courtesy of a personal interview with Applicant's representative, Sanford T. Colb (Reg. No. 26,856), held in the USPTO on November 28, 2006. At the interview, Mr. Colb presented a proposed amendment to claims 1 and 9 and argued the patentability of the new claims over the cited art (Tso et al. and Kalra et al., cited below). The Examiner agreed to reconsider the cited art in light of the distinctions recited in the amended claims.

Claims 1-8, 11-18, 22-29 and 32 were rejected under 35 U.S.C. 103(a) over Tso et al. (U.S. Patent 6,421,733). Applicant has amended independent claims 1, 11 and 22 in order to clarify the distinction of the present invention over the cited art. The amended independent claims incorporate the elements of claims 8, 19 and 29 (now canceled), along with additional clarifying language based on the specification (see, for example, paragraphs 0012-0016 in the published version of

this application, US 2003/0135633). Dependent claims 9, 19 and 30 have been amended for proper antecedence.

Amended claims 1, 11 and 22 recite a novel use of a servlet to enable clients to request a certain portion of a media file. The servlet selects the elements of the media file corresponding to the requested portion for streaming to the client. The servlet permits the streaming function to be carried out by a standard HTTP server. This sort of selective client access to portions of media files was previously available only through the use of costly, specialized media servers (as explained, for example, in paragraphs 0011 and 0016 of the specification).

Tso describes a system for dynamically transcoding data, using a HTTP remote proxy in conjunction with a parser and transcode service providers (Fig. 3 and col. 3, lines 31-65). Tso makes no mention or suggestion of the use of servlets, but rather uses the HTTP proxy to fetch content from the Internet and decide whether or not to transcode it.

Furthermore, Tso makes no provision for a client to request only a certain portion of a media file. He likewise makes no suggestion that his HTTP proxy (or any other element of his system) might select only certain elements of a media file

in response to a client request. In regard to claim 8 (which previously recited these features), the Examiner cited col. 5, lines 35-40; col. 6, lines 35-40; and col. 14, lines 45-55, in Tso. The passages in cols. 5 and 6 refer to creation and use of cache objects in Tso's system. The passage in col. 14 refers to determination as to whether and how an object is to be transcoded. These passages give no indication that the objects in question might contain certain selected elements or portions of a media file.

Thus, Applicant respectfully submits that independent claims 1, 11 and 22, as amended, are patentable over the cited art. In view of the patentability of these independent claims, dependent claims 2-8, 12-18, 23-29 and 32 are also believed to be patentable.

Claims 9, 10, 19-21, 30 and 31 were rejected under 35 U.S.C. 103(a) over Tso in view of Kalra et al. (U.S. Patent 6,490,627). In view of the patentability of amended independent claims 1, 11 and 22, dependent claims 9, 10, 19-21, 30 and 31 are also believed to be patentable.

Furthermore, notwithstanding the patentability of the independent claims in this application, Applicant respectfully submits that the dependent claims recite independently-

patentable subject matter. For example, claims 9, 19 and 30
recite a type of element that could be selected by the servlet
of claim 1: a segment in an ordered sequence of frames (such as
video frames).

Kalra describes a media delivery system that uses a
specialized adaptive stream server and adaptive stream client
for media streaming (Figs. 13 and 14). The purpose of these
elements is to optimize the transmission of sounds or images to
the client according to the capabilities of the client computer
(col. 1, line 66 - col. 2, line 3). For this purpose, the data
transmitted from the server to the client is "segmented" into a
base stream, containing the basic informational content, and
additive streams, which may be transmitted to provide enhanced
resolution, depending on the capabilities of the client (col. 2,
lines 27-43). Kalra does not teach or suggest selecting a
segment of a sequence of frames, as recited in claims 9, 19 and
30. Rather, all of Kalra's segments contain the same sequence
of frames, but at different resolution levels.

Furthermore, Kalra's capabilities are dependent on the
use of the specialized adaptive stream server, while his HTTP
server is used only to set up the direct connection between the
adaptive stream server and the adaptive stream client (col. 15,

lines 24-44). By contrast, the claims in the present patent application recite the use of HTTP responses to carry the actual media stream to the client.

Thus, claims 9, 19 and 30 are independently patentable over the cited art. Similar arguments may be made regarding other dependent claims in this application, but for the sake of brevity, Applicant will refrain from advancing these arguments at present.

Applicant believes the amendments and remarks presented above to be fully responsive to all of the grounds of rejection raised by the Examiner. In view of these amendments and remarks, all of the claims now pending in this application are believed to be in condition for allowance. Prompt notice to this effect is requested.

If the Examiner has any questions he is invited to contact the undersigned at 202-628-5197.

Respectfully submitted,

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